

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CHRIS CAVE,  
Plaintiff(s),

v.

M. O'BRINKLEY, et al.  
Defendant(s).

Case No.: 2:20-cv-00413-APG-NJK

**ORDER**

[Docket Nos. 25, 28]

Pending before the Court are two motions to strike filed by Defendants Brinkley and Mead and joined by Defendant Holmes. Docket Nos. 25, 27, 28, 29. The motions seek to strike two notices filed by Plaintiff at Docket Nos. 21 and 26. Docket Nos. 25 at 1, 28 at 1. The motions are properly resolved without a hearing. *See* Local Rule 78-1.

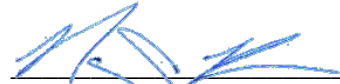
The Court has authority to strike an improper filing under its inherent power to control its docket. *See, e.g., Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010). “Motions to strike under the [Court’s] inherent power . . . are wholly discretionary.” *Jones v. Skolnik*, 2015 WL 685228, at \*2 (D. Nev. Feb. 18, 2015). In deciding whether to exercise that discretion, courts consider whether striking the filing would “further the overall resolution of the action,” and whether the filer has a history of excessive and repetitive filings that have complicated proceedings. *Id.* Courts are reluctant to strike material without some showing of prejudice by the moving party. *Cf. Roadhouse v. Las Vegas Metro. Police. Dep’t*, 290 F.R.D. 535, 543 (D. Nev. 2013) (addressing motion to strike filed pursuant to Federal Rule of Civil Procedure 12(f)).

1 The pending motions seek to strike two notices filed by Plaintiff, arguing that the  
2 information contained therein does not concern this action. Docket Nos. 25 at 3, 28 at 3. While  
3 Defendants may be correct, they have not established that they are prejudiced by Plaintiff's notices  
4 or that striking the filings would further the overall resolution of this case. Absent any explanation  
5 as to the benefits of striking Plaintiff's notices at Docket Nos. 21 and 26, the Court declines to  
6 exercise its discretion to do so.

7 Accordingly, the motions to strike are **DENIED** without prejudice. Docket Nos. 25, 28.

8 IT IS SO ORDERED.

9 Dated: September 23, 2020

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11 Nancy J. Koppe  
12 United States Magistrate Judge  
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